

"Public officer" means:

- (A) Every constitutional officer;
- (B) Every elected state official;
- (C) The executive head of every state department or agency, whether elected or appointed;
- (D) Each member of the General Assembly;
- (E) The executive director of each state board, commission, or authority and the members thereof;
- (F) Every elected county official and every elected member of a local board of education; and
- (G) Every elected municipal official.



All state-wide elected officials and members of the General Assembly shall file personal financial disclosure statements electronically with the commission. Local officials may file electronically or may file by certified mail or statutory overnight delivery.

To submit reports electronically, the Commission must receive a PFD Personal Identification Number Application.

<http://media.ethics.ga.gov/Commission/2011Forms/23/PFDPIN.pdf>

If you are a Public Officer for 15 days or more in a calendar year, you are required to file a Personal Financial Disclosure Statement.

EXEMPTIONS

A public officer shall not, however, be required to file such a personal financial disclosure statement for the preceding calendar year in an election year if such public officer does not qualify for nomination for election to succeed himself or herself or for election to any other public office subject to this chapter. For purposes of this paragraph, a public officer shall not be deemed to hold office in a year in which the public officer holds office for fewer than 15 days.

Reference O.C.G.A. § 21-5-50 (a)(6)

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The commission offers FREE Education Outreach
Program Training Workshops throughout the year.
Visit our website www.ethics.ga.gov and click on the
Education link to view workshop schedule
and RSVP your attendance.

Helpful Hints For Filing Your

Personal Financial Disclosure Statement



A GUIDE FOR

Elected Public Officers
Candidates for Public Office
State Transportation Board

Executive
Heads of State Agencies

Revised March 1, 2012

PERSONAL FINANCIAL DISCLOSURE REQUIREMENT TO FILE & FILING DEADLINES

A Public Officer shall file not before January 1 nor later than July 1 of each year in office (except the year of election)

A Candidate for Public Office elected at a local and/or state level shall file not later than the fifteenth day on which the candidate qualifies

A Candidate for Public Office elected statewide must file their personal financial disclosure statements not later than seven days after qualifying or filing a notice of candidacy. Statewide candidates must disclose more information than other candidates for public office on the personal financial disclosure statement.

Statewide candidates include: Governor, Attorney General, Commissioner of Agriculture, Commissioner of Insurance, Commissioner of Labor, Lieutenant Governor, Public Service Commission, Secretary of State, State School Superintendent

Reference O.C.G.A. § 21-5-50 (a)(1)(2) & O.C.G.A. § 21-5-50 (c)(1)

INFORMATION TO BE REPORTED

Previous Year's Activity: The Personal Financial Disclosure Statement discloses information about your financial activity for the preceding year. For example, if you are required to file by July 1, 2012, you will report the financial activity that occurred during calendar year 2011. This information must be provided even if you were not yet a state officer during the previous year.

The Personal Financial Disclosure Statement shall identify:

each monetary fee received, all fiduciary positions, direct ownership interests in business entity which is more than 5 percent of the total interests in such business; or has a net fair market value of \$5,000.00 or more; direct ownership interests in real property which is more than 5 percent of the total interests in such business; or has a net fair market value of \$5,000.00 or more; spouse's direct ownership interest in real property which is more than 5 percent of the total interests in such business; or has a net fair market value of \$5,000.00 or more; the filer's employment and family members information, filer's investment interests, known business or investment interests of spouse and dependent children, and annual payments received by a public officer or business entity from the State of Georgia in excess of \$10,000.00 per calendar year.

Reference O.C.G.A. § 21-5-50 (b)

(If running for a statewide position, the following is required to be report for the preceding five calendar years in addition to the information required above)

Each transaction or transactions which aggregate \$9,000.00 or more in a calendar year in which the candidate (whether for himself or herself or on behalf of any business) or any business in which such candidate or any member of his or her family has a substantial interest or is an officer of such business has transacted business with the government of the State of Georgia, the government of any political subdivision of the State of Georgia, or any agency of any such government; and each transaction or transactions which aggregate \$9,000.00 or more in a calendar year in which the candidate or any business in which such candidate or any member of his or her family has a substantial interest or is an officer of such business received any income of any nature from any person who was at the time of such receipt of income represented by a lobbyist registered with the commission pursuant to Article 4 of this chapter.

Reference O.C.G.A. § 21-5-50 (c)

STATE TRANSPORTATION BOARD

Each member of the State Transportation Board shall file a Personal Financial Disclosure Statement for the preceding calendar year no later than the sixtieth day following such member's election to the State Transportation Board. Thereafter, each board member shall file by January 31 of each year a financial disclosure statement for the preceding year. In addition, each board member shall file with the commission, prior to January 31 of each year, an affidavit confirming that such board member took no official action in the previous calendar year that had a material effect on such board member's private financial or business interests.

Reference O.C.G.A. § 21-5-50 (a)(4)

Grace Periods, Late Fees, Civil Penalties & Waivers

GRACE PERIODS

There is **NO** grace period when filing a Personal Financial Disclosure Statement.

LATE FEES

- A late fee of \$125.00 shall be imposed for each Personal Financial Disclosure Statement that is filed late,
- An additional fee of \$250.00 shall be imposed on the fifteenth day after the due date for such statement if such statement has not been filed.
- An additional fee of \$1,000.00 shall be imposed on the forty-fifth day after the due date for such statement if the statement has not been filed. Campaign committee funds shall not be used to pay such penalty.

CIVIL PENALTIES

Arising out of a complaint

- Not to exceed \$1,000.00 for each violation contained in any report
- Not to exceed \$10,000.00 may be imposed for a second occurrence of a violation of the same provision
- Not to exceed \$25,000.00 may be imposed for each third or subsequent occurrence of a violation of the same provision.

WAIVERS

In imposing a civil penalty or late filing fee under this chapter, the commission may waive or suspend such penalty or fee if the imposition of such penalty or fee would impose an undue hardship on the person required to pay such penalty or fee. The commission may also waive or suspend a penalty or fee in the case of failure to file or late filing of a report if there are no items to be included in the report.

O.C.G.A. § 21-5-6(14)(C)(i)

Detailed waiver request should be emailed to

hlaberge@ethics.ga.gov